

ADMINISTRATIVE ORDER NO. 53-13-02-F
of the
City Manager of the City of Eugene

**ADOPTION OF SOLID WASTE, YARD DEBRIS AND RECYCLING
COLLECTION APPEAL FILING FEE.**

The City Manager of the City of Eugene finds as follows:

A. Section 2.020 of the Eugene Code, 1971 (EC), authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits.

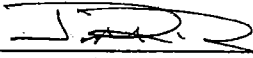
B. In accordance with the procedures and authority set forth above, on April 9, 2013, I issued Administrative Order No. 53-13-02 proposing the adoption of a \$250.00 fee for filing an appeal of the imposition of administrative civil penalties issued pursuant to Solid Waste, Yard Debris and Recycling Collection Administrative Rule R-3.250-V. The appeal fee is necessary in order to recover administrative costs involved in processing appeals.

C. Notice of the proposed fee was provided to the Mayor and City Council, made available to persons who had requested such notice, and was made available for inspection by interested persons at the City Manager's Office, 125 East 8th Avenue, Eugene, Oregon 97401, during normal business hours. The Notice was also published in the Register-Guard newspaper on April 13, 2013, and posted at two locations at City Hall on April 16, 2013. The Notice provided that written comments would be received for a period of 15 days from the date of publication and posting. No comments were received within the time or in the manner provided by the Notice.

D. Pursuant to EC 2.020, in determining the fee, I have considered the applicable policies, enactments and directives of the City Council, the amount charged for these services by the City in the past, the full costs of providing the services supported by the fees, the amounts charged by other comparable providers, and the revenue needs of the City as determined by the adopted City budget.

On the basis of these findings, and the findings in Administrative Order No. 53-13-02, I order that, a \$250.00 fee for filing an appeal of the imposition of administrative civil penalties issued pursuant to Solid Waste, Yard Debris and Recycling Collection Administrative Rule R-3.250-V is established.

Dated and effective this 10 day of May, 2013.



Jon R. Ruiz
City Manager



Eugene City Manager's Office

Memorandum

Date: May 16, 2013
To: Mayor Piercy and City Council
From: Beth Forrest, 541-682-5882
Subject: Testimony Submitted – May 13, 2013

Attached is the testimony submitted at Monday night's Public Forum. A copy of this material is also included with the council memo packet posted weekly on the web at: <http://www.eugene-or.gov/index.aspx?NID=1971>

Please let me know if you have any questions

Dear counselor,

To make it easy to review the documents I am mentioning this evening, I have them all located on the Oregon Sustainable Beekeepers web site here:

<http://oregonsustainablebeekeepers.org/2013/05/13/neonics/>

Please also feel free to browse other related items on our website:

<http://oregonsustainablebeekeepers.org/2013/03/03/the-case-against-imidacloprid/>

<http://oregonsustainablebeekeepers.org/2013/03/27/im-getting-rid-of-imidacloprid-avoiding-the-worst-neonicotinoid-insecticides/>

<http://oregonsustainablebeekeepers.org/2013/05/12/time-dependent-toxicity-of-imidacloprid-in-bees-and-ants/>

Gary Rondeau



Eugene Planning & Development

Memorandum

Date: May 13, 2013
To: Mayor and City Council
From: Rachelle Nicholas, Code Compliance Supervisor,
PDD/Building & Permit Services, 541.682.5495
Subject: Proposed Administrative Orders Posted for Comment

The City Manager has posted for comment proposed Amendments to the Public Passenger Vehicle R-3.345 rule that will add provisions addressing Pedal Vehicles in response to Eugene's own "Cycle Pub" (see Administrative Order No. 53-13-06). The proposed amendments are necessary to provide for the safe and efficient operation of private 'for hire' transportation services. Specifically language has been added to do the following;

- Define a 'Pedal Vehicle' in the context of existing Public Passenger Vehicle rules
- Bring out-of-date insurance requirements into compliance with Oregon Revised Statutes
- Provide language to ensure safe routes thereby minimizing impacts to other vehicles, pedestrians, and neighborhoods
- Add language to address minimum vehicle equipment and maintenance for safe operation
- Add clarity related to the serving or consumption of alcohol
- Add language to minimize impacts to neighborhoods including noise restrictions, hours of operation and location of operation

If these regulations are adopted, license fees for Pedal Vehicles will need to be in place immediately thereafter to allow Pedal Vehicle companies to begin operation without delay. The proposed Amendment of the Public Passenger Vehicle Fee Schedule and Repeal of Administrative Order No. 53-93-24-F (attached) will run concurrently with the proposed Amendments to Public Passenger Vehicles.

A notice will appear in the Register Guard for five consecutive days, with copies distributed to interested parties, and a copy will be made available for review at the Permit and Information Center. It will also be posted on the website at www.eugene-or.gov/garbage-rates. After a 15-day comment period, a final order will be prepared taking into account any comments.

If you have any questions or concerns, please feel free to contact me at x5495 or rachelle.d.nicholas@ci.eugene.or.us.

ADMINISTRATIVE ORDER NO. 53-13-07
of the
City Manager of the City of Eugene

**PROPOSING AMENDMENT OF THE PUBLIC PASSENGER VEHICLE
FEE SCHEDULE AND REPEAL OF ADMINISTRATIVE ORDER NO. 53-
93-24-F.**

The City Manager of the City of Eugene finds as follows:

A. Section 2.020 of the Eugene Code, 1971, authorizes the City Manager of the City of Eugene to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits.

B. In accordance with the procedures of Section 2.020 of the Eugene Code, 1971, on November 9, 1993, Administrative Order No. 53-93-24-F was issued adopting an amended Public Passenger Vehicle Fee Schedule ("the Fee Schedule"), as set forth in Exhibit A attached to that Administrative Order.

C. Proposed amendments to Public Passenger Vehicle Rule R-3.345 to add provisions regulating Pedal Vehicles is being submitted for public comment (see Administrative Order No. 53-13-06). If those regulations are adopted, license fees for Pedal Vehicles will need to be in place immediately thereafter to allow the Pedal Vehicle companies to begin operation without delay. Therefore, I am proposing amendment of the Fee Schedule concurrently with my proposal to adopt Pedal Vehicle regulations. The proposed amendments are set forth in the Notice attached as Exhibit A to this Order.

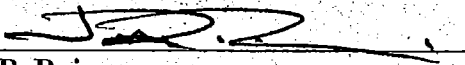
D. In determining the fees, I have considered the applicable policies, enactments and directives of the City Council, the amount charged for these services by the City in the past, the full costs of providing these services supported by the fees, the amounts charged by other comparable providers, and the revenue needs of the City as determined by the adopted City budget.

On the basis of these findings, I order that:

1. Copies of the Notice attached to this Order shall be provided to the Mayor and City Councilors, posted at two locations at City Hall, be made available to persons who have requested such notice, and be made available for inspection by interested persons at the offices of the City Manager, 125 East 8th Avenue, Eugene, Oregon 97401, during normal business hours. The Notice attached as Exhibit B, which contains a fee proposed to be \$250 or greater, shall be published in the Register Guard Newspaper.

2. Comments or objections to the proposed fees shall be submitted in writing as provided in the Notice. After expiration of the comment period, I will establish by administrative order the fees as proposed or as modified in response to the comments received provided that any modified fees comply with the provisions of the Eugene Code, 1971, and will incorporate the unamended fees established by Administrative Order No. 53-93-24-F into the updated Fee Schedule and repeal Administrative Order No. 53-93-24-F.

Dated this 13 day of May, 2013.


Jon R. Ruiz
City Manager

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NOTICE OF INTENDED AMENDMENT OF THE PUBLIC PASSENGER VEHICLE FEE SCHEDULE

To: The Mayor and City Councilors, and other interested persons.

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 2.020 of the Eugene, Code, 1971, if Pedal Vehicle regulations are adopted as proposed by Administrative Order No. 53-13-06, the City Manager of the City of Eugene intends to amend the Public Passenger Vehicle Fee Schedule adopted by Administrative Order No. 53-93-24-F to establish the following fees for Pedal Vehicles:

	<u>Fee</u>
<u>Pedal Vehicles:</u>	
<u>Business License:</u>	
Application Fee, new or renewal (to be submitted with application).....	\$100.00
License Fee, new or renewal (to be paid upon application approval).....	\$300.00
<u>License Reinstatement Following:</u>	
Suspension.....	\$ 50.00
Add Principal.....	\$150.00
<u>Vehicle Permit</u>	\$100.00
<u>Driver Certification:</u>	
Application Fee (to be submitted with application).....	\$ 45.00
Certification Fee (to be paid upon application approval)*	\$ 25.00
<u>Renewal of Valid Certification:</u>	
Application**	\$ 25.00
Certification Fee*	\$ 25.00
Certification Reinstatement	\$ 25.00
Duplicate Certification Card.....	\$ 25.00

* *These certification fees may be paid three months after issuance. If this option is selected, a \$10.00 service fee will be required before certification is validated and a card issued. Failure to pay the certification fee by the due date can result in revocation of certification.*

** *The renewal application fee may be reduced to \$10.00 if the following conditions are met:*

- 1. Has lived in the same area for the past year.*
- 2. Has been continuously employed by local licensed companies in the past year, and can substantiate that fact.*
- 3. Has had no substantiated complaints or violations in the past year, and the City's review of local criminal history files for the past year shows no violations.*

Amendment of the Fee Schedule is necessary in order to add license, certification and permit fees for Pedal Vehicles if the Pedal Vehicle regulations are adopted as proposed by Administrative Order No. 53-13-06. In determining the fees, consideration has been given to the applicable policies, enactments and directives of the City Council, the amount charged for these services by the City in the past, the full costs of providing these services supported by the fees, the amounts charged by other comparable providers, and the revenue needs of the City as determined by the adopted City budget.

Comments on the proposed fee amendments must be submitted in writing to Rachelle Nicholas, City of Eugene Building & Permit Services Division, 99 W. 10th, Eugene, Oregon, 97401, or via e-mail to rachelle.d.nicholas@ci.eugene.or.us within 15 days of the date of posting of the Notice as indicated below. After expiration of the comment period, the City Manager will consider the comments received and adopt the fees as proposed or as modified in response to the comments received, provided that any modifications comply with the provisions of the Eugene Code, 1971.

Jon R. Ruiz, City Manager

Date of Posting: May 17, 2013.

**NOTICE OF INTENDED AMENDMENT OF THE PUBLIC PASSENGER
VEHICLE FEE SCHEDULE**

To: The Mayor and City Councilors, and other interested persons.

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 2.020 of the Eugene, Code, 1971, if Pedal Vehicle regulations are adopted as proposed by Administrative Order No. 53-13-06, the City Manager of the City of Eugene intends to amend the Public Passenger Vehicle Fee Schedule adopted by Administrative Order No. 53-93-24-F to establish license, permit and certification fees for Pedal Vehicles.

Of the proposed fees, the following fee is proposed to be \$250 or more: "Pedal Vehicle License Fee, new or renewal (to be paid upon application approval), \$300.00."

A full schedule of the proposed amendments can be reviewed at the City Manager's Office, 125 E. 8th Avenue, Eugene, Oregon, or on the City's website at <http://www.eugene-or.gov/> on the City Recorder's Office page under "Administrative Order."

Comments on the proposed fee amendments must be submitted in writing to Rachelle Nicholas, City of Eugene Building & Permit Services Division, 99 W. 10th, Eugene, Oregon, 97401, or via e-mail to rachelle.d.nicholas@ci.eugene.or.us within 15 days of the date of posting of the Notice as indicated below. After expiration of the comment period, the City Manager will consider the comments received and adopt the fees as proposed or as modified in response to the comments received, provided that any modifications comply with the provisions of the Eugene Code, 1971.

Jon R. Ruiz, City Manager

Date of Publishing: May 17, 2013.

ADMINISTRATIVE ORDER NO. 53-13-06

**of the
City Manager of the City of Eugene**

**AMENDMENT OF PUBLIC PASSENGER VEHICLE SERVICES
ADMINISTRATIVE RULE R-3.345, AND REPEAL OF
ADMINISTRATIVE ORDER NO. 53-99-05-F.**

The City Manager of the City of Eugene finds that:

A. Pursuant to the authority contained in Sections 2.019 and 3.345 of the Eugene Code, 1971, Public Passenger Vehicles Services Administrative Rule R-3.345 was initially adopted in 1991, and has subsequently been amended, most recently by Administrative Order No. 53-99-05-F on December 21, 1999.

B. Amendments to Rule R-3.345 are necessary in order to update public passenger insurance requirements and to add provisions regulating pedal vehicles.

Based upon the above findings which are adopted, and pursuant to the authority contained in Sections 2.019 and 3.345 of the Eugene Code, 1971, I propose to amend Public Passenger Vehicle Services Administrative Rule R-3.345 as shown in legislative format below:

**Public Passenger Vehicle Services
Administrative Rule R-3.345**

~~(Proposed additions to current Rule are indicated in bold italics.
Deletions are indicated in strike through.)~~

R-3.345-A DEFINITIONS.

As used herein, the following words and phrases mean:

Accessible Vehicle. Any public passenger vehicle for hire that is constructed and equipped to meet ADA standards for the non-emergency transportation of persons in wheelchairs, persons using other mobility aids, or with other mobility impairments.

ADA. Americans with Disabilities Act.

Airport Door to Door Shuttle Service. A motorized vehicle that is either a van or bus with the capacity to transport at least six passengers and their luggage, used only for the transportation of passengers from the Eugene Airport to any destination in the Eugene/Springfield area, and from anywhere within the Eugene/Springfield area to the Eugene Airport, with fares based on zone rates. An Airport Door to Door Shuttle shall comply with all requirements of this Rule applicable to public passenger vehicles, except as specifically provided in R-3.345-G.

Business. Any business, institution, association, occupation, and calling of every kind.

Charter Vehicle. A motorized vehicle originating from the Eugene-Springfield Metropolitan Area, marked with the company's business name, operated for hire to transport a group of seven or more persons with the fare based on a group rate rather than an individual basis.

Club Car Service. Vehicular passenger transportation service provided by a business to club members or by a residence home to its residents.

Courtesy Car Service. Vehicular passenger transportation service provided by a business to its clients or customers at no cost.

Pedal Vehicle. *Multi-passenger, non-motorized, four-wheeled public passenger vehicle that is powered by passengers, with the steering and braking controlled by the driver.*

Employee. Any person employed for remuneration or under any contract of hire, written or oral, express or implied, including independent contractors. All persons who drive public passenger vehicles, including any person who has an ownership interest in the company, shall be considered employees of the public passenger vehicle company for purposes of this Rule.

Horse-drawn Vehicle. Any vehicle which is operated or pulled by horse, mule, or any other beast of burden.

Limousine. An unmarked luxury class motor vehicle that is operated for hire on a reserved, hourly basis, and used on a prearranged basis for special or business functions, weddings, funerals or similar purposes.

Manager. Any person in charge of the operation or management of the public passenger vehicle company, any person who can direct or control the activities and scheduling of the company's employees, and any person who can hire or fire the company's employees.

Motorized Vehicle. A public passenger vehicle other than a horse-drawn carriage or a pedicab.

Operator. Any person who is a principal in a public passenger vehicle company. A principal includes all owners, shareholders, partners, directors, officers and managers.

Pedicab. Any vehicle which is operated or pulled by a bicycle. *For purposes of this Rule, pedal vehicles are not pedicabs.*

Public Passenger Vehicle. Any vehicle which is used for the transportation of passengers for hire, including, but not limited to, shuttles, horse-drawn carriages, pedicabs, and taxicabs. However, the following shall not be considered public passenger vehicles for purposes of this Rule:

1. Vehicles operated pursuant to written authority by the City, state or federal governments, or political subdivisions thereof;
2. Vehicles commonly known as rent-a-cars, that are rented to be driven by the renter or his or her agent;
3. Courtesy car services;
4. Tour bus services;
5. First aid vehicles, as that term is defined in Section 3.005 of the Eugene Code, 1971;
6. Club car services; and
7. Limousines.

Public Passenger Vehicle Company. Any business which operates one or more public passenger vehicles, regardless of who owns the vehicles operated.

Shuttle. A motorized vehicle for hire that transports passengers between predetermined destinations (e.g. motels, airport, downtown passenger station), at fixed rates, and on a fixed schedule.

Taxicab. A motorized vehicle that is operated for hire by the public passenger vehicle company, other than a shuttle, limousine, or charter.

Taxi Meter. A mechanical or electronic device which calculates and displays a fare.

Tour Bus. A motorized vehicle accepting individual passengers for a fare for sightseeing or guided tours, making occasional stops at certain points of interest and returning the passengers to the point of origin.

R-3.345-B APPLICATION.

1. An application for a business license, or for renewal of a business license required by Section 3.345 of the Eugene Code, 1971, shall be completed by each and every principal in the business. A principal in the business includes all owners, shareholders, partners, directors, officers and managers. The City Manager or designee may exempt certain principals from completing an application if the City Manager or designee determines that granting such an exemption is consistent with the objectives of the Eugene Code, 1971, and where the business demonstrates to the satisfaction of the City Manager or designee that those principals play no role in the operation of the company.

2. The business license application form shall generally require information relating to the name, address, business type, manager, business intent, current rates of fare and registered agent. If the business name as submitted in the application is the same as a currently licensed public passenger vehicle company, or so similar as to likely create confusion, the applicant shall be so advised, and no further processing of the application shall occur until the applicant submits a different business name. Additionally, each principal of the applicant business may be required to provide past and current addresses, employment, judicial involvement including criminal history, and history of denial, suspension or revocation of business licenses in this or any other jurisdiction. A change in registered agent shall not be effective until the City receives written notice of the change.

R-3.345-C STANDARDS AND REQUIREMENTS FOR ALL PUBLIC PASSENGER VEHICLE COMPANIES

1. **General Requirements.** A public passenger vehicle company shall not refuse to respond to any request for service from a location within the Eugene-Springfield city limits *unless the public passenger vehicle is limited to a specific route pursuant to Rule R-3.345-K.* However, the driver can refuse to provide such service if he/she has a reasonable basis for believing that his/her personal welfare is threatened, or that the passenger will damage the vehicle or be unable or unwilling to pay the fare. In addition, no public passenger vehicle company shall respond to a request for service from the Eugene Airport unless it is authorized to do so by a ground transportation activity permit issued by the Airport Manager.

2. **Insurance and Hold Harmless Agreement.**

~~(a) — **Insurance.** Every public passenger vehicle company shall obtain and furnish to the City evidence of liability insurance meeting the following minimum standards for the company's operations and all of its vehicles:~~

~~(1) — Insurance coverage must be in the minimum amount of \$200,000 for bodily injuries to one person, \$500,000 for bodily injuries from one accident, and \$100,000 property damage, or in lieu of the above described coverages, a combined single limit coverage of not less than \$500,000 covering any number of claims arising out of any single occurrence, plus cost of defense.~~

~~(2) — The limits of the insurance may be increased during the term of the permit if statutory changes are made to maximum limits of liability imposed on municipalities.~~

~~(3) — Insurance policies on vehicles regulated under Section 3.345 of the Eugene Code, 1971 shall contain a provision that the policy will not be reduced in coverage or cancelled without 30 days prior written notice to the City Manager or designee, unless waived by the City in writing.~~

~~(4) — Evidence of insurance coverage in compliance with this Section~~

~~must be on file with the City Manager or designee at all times.~~

~~(5) Two weeks (10 working days) prior to expiration date of insurance coverage, a renewal certificate must be provided to the City Manager or designee.~~

~~(6) Every day a public passenger vehicle is operated without an insurance policy as required by these regulations shall be deemed a separate violation, and every person operating or permitting such operation shall be subject to enforcement proceedings.~~

~~(7) Any license, permit or certification issued under the provisions of these regulations shall expire automatically upon the cancellation, expiration or other lapse of the insurance required by this section.~~

~~(8) A public passenger vehicle company shall restrict use of company vehicles to drivers who are insured for the vehicles being operated by the drivers, and shall not permit a vehicle or driver to operate in an area for which no insurance coverage is provided.~~

(a) Insurance Coverages and Limits. Every public passenger vehicle company permit holders must obtain, comply with, and maintain the minimum levels of insurance coverage outlined below during the entire term that the permit is valid:

(1) Commercial Business Insurance. Company permit holders must secure and maintain a Commercial General Liability policy reflecting limits of no less than the limits specified in ORS 30.272 - 30.273 for claims arising out of, but not limited to, bodily injury, property damage, personal and advertising injury, and contractual liability in the course of the permit holder's work under a for-hire transportation company permit.

(2) Vehicle Insurance. All for-hire company permit holders, regardless of whether the company holds title to a vehicle or not, must provide the City with a copy of a valid Commercial Auto Liability policy reflecting no less than the limits specified in ORS 30.272 - 30.273 for claims arising out of, but not limited to, bodily injury and property damage incurred from the business use of any scheduled, non-owned, and hired automobile in the course of the vehicle's use as a for-hire transportation vehicle. The Commercial Auto Liability policy must comply with the mandatory laws of the State of Oregon and/or other applicable governing bodies.

(b) Hold Harmless Agreements. All licensees shall furnish to the City on a form provided by the City, a signed statement that the licensee shall defend, indemnify and hold harmless the City, its officials, agents, and employees for all claims of injury to property or persons that may arise as a result of any activity carried on by the licensee.

3. Records Maintained.

(a) **Vehicle Maintenance Records.** The operator of all public passenger vehicle companies using motorized vehicles shall maintain maintenance records for all motorized vehicles used by the operator's company. The records shall include, but not be limited to, records of all tests for brakes, tires, steering wheels, mechanical parts and lighting equipment. The operator shall make said records available to the City Manager or designee upon request.

(b) **Employee Records.** The operator of all public passenger vehicle companies using motorized vehicles shall keep a personal history record of each employee and those records shall contain:

(1) The complete legal name and all other names by which the employee is or has been previously known;

(2) The employee's date of birth, height, weight, hair and eye color, Oregon driver's license number, place of birth, social security number, and citizenship status;

(3) The employee's current address and his/her previous addresses for the past 5 years, including the dates of residence at those addresses;

(4) The date on which the City issued the employee his/her driver certification;

(5) A passport size photo that is not more than one year old.

(c) **Service Recipient Records.** The operator of all public passenger vehicle companies, including those using non-motorized vehicles, shall maintain a record of all services provided and those records shall include:

(1) A log maintained by each driver which contains a record of every trip, in a form approved by the City Manager or designee; and,

(2) A log by each taxicab licensee showing every service request and subsequent dispatch.

(d) **Complaint Records.** The operators of all public passenger vehicle companies shall maintain a record of all complaints lodged against the operator's company and/or personnel. Those records shall reflect:

(1) The complaining party or parties by name, address, and telephone number;

(2) The incident date of the complaint and a summary of the complaint allegation;

(3) The name(s) of personnel complained against; and

(4) A summary of the complaint inquiry and the outcome and company actions as a result of that inquiry.

(e) **Tenure of Record Maintenance.** Vehicle maintenance, service recipient and complaint records shall be kept for a period of three years after the last date of service or complaint. Employee records shall be kept throughout the period of active employment and for a period of one year after termination of employment.

R-3.345-D STANDARDS FOR VEHICLES.

1. Permit Required.

(a) No operator shall put into service, nor shall any employee drive, any motorized public passenger vehicle except for vehicles which have public passenger vehicle permits from the City.

(b) No motorized vehicle shall be eligible for a public passenger vehicle permit unless the vehicle has passed a safety inspection, as provided in section 2(a) below, within 30 days prior to the filing of the permit application, whether for a new permit, or renewal of a permit.

(c) All public passenger vehicles shall be maintained, marked and provided with safety and taxi meter equipment as required by these rules. Failure to comply with the vehicle requirements shall be grounds for revocation or suspension of the vehicle permit, and of the operator's license.

(d) No vehicle permit shall be transferrable.

(e) Except for a vehicle that is equipped and marked for both charter and shuttle use, multiple uses for the same vehicle are not permitted.

2. **Vehicle Maintenance Requirements.** Each motorized vehicle shall be kept clean, of good appearance, in good repair, properly equipped, and in a safe condition. To insure the safe condition of all motorized vehicles:

(a) **Regular Inspections.** The operator shall cause all motorized vehicles used by the public passenger vehicle company to be inspected regularly, but no less often than every six months, by a commercial automobile garage. Said garage shall not be owned nor operated by the operator or employees of the public passenger vehicle company, nor shall employees of the garage also be employees of the public passenger vehicle company. At the completion of the inspection, the garage shall certify, on a form provided by the City, that the vehicle is safe. A copy of that certification shall be filed

with the City. Failure to timely file the safety certification shall be grounds for suspension of the permit.

(b) **Special Inspections.** In addition to regular inspections, the operator shall cause all vehicles used by the public passenger vehicle company to undergo such special inspections as the City Manager or designee may require. Where such an inspection has been required, the vehicle shall not be used until after the vehicle passes the inspection.

3. **Vehicle Marking Requirements.** All motorized public passenger vehicles shall be marked as required herein. Vehicles not in compliance with these requirements shall not be used for carrying passengers.

(a) **Interior Marking.** Each public passenger vehicle shall be marked on the interior with the company's name, vehicle license number, vehicle permit number, type of vehicle permit issued, operator complaint telephone number, and City complaint telephone number. In addition to the foregoing, the interior marking for taxicabs and shuttles shall include current rates of fare, including any authorized surcharge, minimum charge, or discount availability. Said markings shall be readable by all passengers (with normal vision) at all times. Markings shall not be placed on windows.

(b) **Exterior Marking.**

(1) Each taxicab, shuttle or charter vehicle shall be conspicuously and permanently marked on the rear and right and left exterior sides with the company name. Exterior markings shall be in letters and numbers not less than two (2) inches in height and shall be a light color on a dark background or a dark color on a light background. Each taxicab shall be equipped with a top light indicating the name of the name of the taxicab company, except for vans modified in height to accommodate a wheelchair lift, or any other taxi vehicle with a height that would render a top light difficult to see. The City Manager or designee may waive the company name rear external marking requirement if the top light on the vehicle identifies the company and is clearly visible at all times from the back of the vehicle. The City Manager may also waive the top light requirement for a taxicab providing the taxicab is otherwise marked as required herein, no risk to the public safety is created by doing so, and failure to do so would subject the applicant to undue hardship.

(2) Each taxicab or shuttle vehicle shall be conspicuously marked with its current rates and minimum charges on the left and right exterior sides in letters and numbers not less than one (1) inch in height and shall be a light color on a dark background or a dark color on a light background.

(3) Each taxicab or shuttle vehicle shall be conspicuously marked with its permit number at a readily visible location on the rear of the vehicle; in numbers not less than two (2) inches in height and shall be a light color on a dark background or a dark color on a light background.

(4) Exterior marking shall not be placed on vehicle windows unless the vehicle is a station wagon and placement of the rates on the sides would make them illegible. In that event, the rates may be placed on the rear side windows only.

(c) **Color Scheme.** In order to facilitate the identification of taxicab or shuttle vehicles by customers and public safety personnel, the City Manager or designee may require distinct color schemes for separate companies. Each licensee or applicant for a taxicab or shuttle license shall designate the color scheme desired for the vehicles to be operated under such license. In the event there is a dispute between two or more licensees or applicants wishing to use the same or a similar color scheme, the City Manager or designee shall designate the color scheme assigned to each licensee or applicant, based on the following criteria:

- (1) The length of time the company has used the color scheme;
- (2) The degree to which the company name is associated with the color,

and the color scheme shall then be placed on file with the City. Thereafter all taxicab and shuttle vehicles shall be painted and maintained to correspond to the color scheme of the licensee under which such vehicle is authorized to operate. No person shall operate a taxicab or shuttle vehicle of an unauthorized color scheme.

4. **Vehicle Equipment.** Every motorized vehicle shall be equipped with such safety equipment as is required by state and federal law, by the Eugene Code, 1971, and by these regulations. Every vehicle shall be equipped with working seat belts or other restraining devices for the driver and every passenger. The number of passengers will be restricted to the total number of seats with working seat belts. Every vehicle shall be equipped with a fire extinguisher of a 1A10BC or 2A10BC, 2½ lb. type, readily accessible to the driver in the area of the front seat, which shall be serviced annually and immediately after each use. Every taxicab shall be equipped with a taxi meter which shall be programmed with one rate only, shall be maintained in good repair at all times, and shall be located so as to be readily visible to passengers within the vehicle.

R-3.345-E STANDARDS FOR DRIVERS OF MOTORIZED PUBLIC PASSENGER VEHICLES.

1. Certification Required.

(a) No person shall drive a motorized vehicle without first obtaining a driver certification card issued by the City.

(b) An applicant for driver certification must be at least 21 years of age and

possess the appropriate Oregon driver's license.

(c) Upon application for a driver certification card, an applicant also may request immediate issuance of a temporary certification card. Such card may be valid for a period not to exceed 30 days, or until the application is approved or denied, whichever is less. To request a temporary certification card, the person must provide the City with the following:

(1) A copy of a criminal record history printout obtained from the Oregon State Police within 30 days of the request for a temporary certification;

(2) A copy of the person's Department of Motor Vehicles' printout obtained from the DMV within five days of the request for a temporary certification;

(3) A copy of an appropriate valid Oregon driver's license;

(4) Proof of residency in Oregon for a period of not less than the preceding 12 months;

(5) A completed application for a certification card, including payment of required fees; and

(6) A letter from a public passenger vehicle company which states that the company intends to employ the person as a driver.

(d) The certification card is the property of the City and shall be surrendered to the City upon suspension, revocation or expiration of certification.

(e) The certification card shall be nontransferable.

2. Requirements/Responsibilities of Driver.

(a) A driver shall:

(1) Obtain and maintain a valid certification card from the city;

(2) Report to the city in writing within seven days any formal charges for any crime, infraction or offense.

(3) Report to the City within ten days any changes in employment status or employers.

(4) Display the certification card in a prominent place within the passenger compartment of any public passenger vehicle being driven by the certification card holder and show to any passenger, police officer or other City

employee upon request.

(5) Deduct any charges for the time of the delay in the event a vehicle becomes disabled or breaks down while conveying a passenger or baggage;

(6) Take the most direct route possible that will carry the passenger safely and expeditiously to his/her requested destination, unless otherwise requested;

(7) Upon request by the passenger, present a receipt for services provided;

(8) Not use tobacco without the consent of the passenger;

(9) Not charge a fare higher than that posted inside the vehicle; and

(10) Wear a seatbelt while operating or riding in the vehicle.

(b) No driver of a public passenger vehicle shall work as a driver more than twelve hours out of any twenty-four hour period.

(c) A driver shall be deemed to be working as a driver within the terms of this subsection whenever he/she is in charge of a vehicle and holding himself/herself in readiness to convey passengers. Both drivers and companies shall be responsible for violations and subject to enforcement action.

R-3.345-F SPECIFICS FOR TAXIS.

1. Any public passenger company operating taxicabs shall maintain the following minimum standards:

(a) The capability of providing reasonably prompt service in response to requests received by telephone, either independently or through cooperative dispatching with other licensees; and

(b) Facilities and personnel sufficient to insure that the requirements of the Eugene Code, 1971 and these regulations are met by every taxicab operated in the company.

2. **Public Passenger Vehicle Zones.** Where public passenger vehicle zones have been designated by the City:

(a) No driver of any taxicab shall make repairs to any vehicle while parked in a public passenger vehicle zone.

(b) No taxicab driver shall leave his or her vehicle unattended in a public passenger vehicle zone adjacent to a fire hydrant for any reason. No person shall leave a public passenger vehicle unattended in any other public passenger vehicle zone except when assisting passengers to enter or alight from the taxicab or carry their baggage or when delivering packages, and then for no more than 20 minutes.

R-3.345-G SPECIFICS FOR SHUTTLES AND AIRPORT DOOR TO DOOR SHUTTLE SERVICE.

1. No shuttle may operate without first receiving the appropriate permit(s) and filing its trip schedule with the city and posting the same at points of trip origin.

2. No airport door to door shuttle service may operate without first receiving the appropriate permit(s). An airport door to door shuttle service, its operator, and driver shall comply with the provisions of this rule applicable to public passenger vehicles, operators and drivers, except as specifically modified in this Section R-3.345-G.

2.1 An airport door to door shuttle service operator shall provide service only between the Eugene Airport and specifically designated zones within the Eugene-Springfield area. The operator shall provide a written operating plan detailing the service proposed. The plan shall include, but not be limited to, the operator's plan for meeting airline flight schedules, the type, quality, and amount of equipment proposed to be utilized, the zones to be serviced, and the rates to be charged for each zone. The plan shall be filed with and approved by the Airport Manager. No changes shall be made in the zones, rates, or other provisions set forth in the plan without the prior approval of the Airport Manager.

2.2 An airport door to door shuttle service permit shall not be issued to an operator with less than three years' experience within a related ground transportation experience, such as taxi service or hotel/motel courtesy vans.

2.3 Only vans or buses with a capacity to carry six or more passengers and their luggage, and less than six years old at any time it is in service, shall be used to provide airport door to door shuttle service. The vehicle shall comply with other requirements in this Rule for public passenger vehicles, except no meters shall be installed in the vehicle, and the vehicle shall be used only for the provision of airport door to door shuttle service.

2.4 Drivers of airport door to door shuttles shall wear distinctive uniforms that have been previously approved by the Airport Manager, comply with other requirements in this Rule for public passenger vehicle drivers, the Airport Door to Door Shuttle Service Permit, and applicable provisions of the Airport Rules concerning ground transportation providers.

3. In addition to Airport Door to Door Shuttle Service Permits issued in accordance

with this Rule, the Airport Manager may solicit proposals or bids and enter into a contractual agreement with an operator to provide Airport door to door shuttle service, with the operator being assigned space within the Airport terminal building and two curb side reserved Airport door to door shuttle service vehicle parking spaces near the main entrance of the terminal. Any such contract shall provide that the operator, vehicles, and drivers meet the minimum requirements in this Rule for Airport door to door shuttle service, as well as requiring the operator to have a sufficient number of vehicles to meet the demands of the Eugene Airport flight schedules, and that a portion of those vehicles consist of accessible vehicles.

R-3.345-H SPECIAL RULES FOR OPERATION OF HORSE-DRAWN VEHICLES.

Due to the different aspects of horse-drawn vehicles vs. motor vehicles, specific conditions for the operation of horse drawn vehicles in the public right-of-way are established. For the purpose of these rules, a horse-drawn vehicle is that which may be hired for the transportation of passengers and which is operated partially or entirely within the corporate limits of the cities of Eugene and Springfield. The operator shall be responsible for complying with the following conditions:

(a) The operator shall at all times have a qualified, experienced horse handler operating the vehicle. The handler shall maintain control of the horse at all times and shall obey all standard traffic laws and regulations.

(b) The operator shall use only horses which have been trained for use in vehicular and pedestrian traffic.

(c) The vehicles shall be equipped with red taillights, a reflectorized caution symbol sign mounted on the back of the vehicle, and carriage lamps or headlamps. The design and operation of the vehicle shall comply with all other state and local regulations for non-motorized vehicles operating on public streets.

(d) All aspects of the operation, including the vehicle, driver and signage, shall maintain a clean appearance while in operation.

(e) The operator shall use equipment which should prevent droppings of horse waste on the ground. The operator is responsible for properly disposing of all waste.

(f) The operator shall provide adequate rest periods and feeding schedules, during and between work shifts, which ensure the health and well-being of each animal used by the operator. This responsibility shall include vehicle load limits, hours of operation and daily hours of animal usage. No animal shall be left unattended while in service.

(g) Each horse-drawn vehicle shall be kept in a safe and sanitary condition at all times. The City shall have the right to inspect or cause to be inspected any horse-drawn vehicle as often as the City determines to be necessary for the purpose of

ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this section or any other rule, regulation, ordinance or law relating to the operation of such horse-drawn vehicles. If any horse-drawn vehicle fails to pass such inspection, it shall be removed immediately from service on the day of inspection, and shall remain out of service until it has passed inspection.

(h) The operator shall obtain a permit for operating the vehicle that specifies times, routes and schedules that the vehicle(s) will be operated. The permit shall be valid for only the period of time, the designated routes or streets, and the schedule of operations defined on the permit. The route and schedule shall be subject to review and revision by the City at any time. Operations granted by the permit may be suspended by the City at any time there is an apparent safety problem to the public or the conditions of the license or permit are not met.

(i) Any exceptions or revisions to these conditions or the conditions of the license shall be made in writing to and approved by the City Manager or designee.

(j) The operator shall comply with all requests by the City for safety inspections of the vehicle or animal and welfare examinations of the animal. The City may require that the animal be examined by a certified veterinarian, acceptable to the City, with the cost of the examination to be borne by the operator. Unless expressly authorized in writing by the City, no operator shall use a vehicle or animal following a request for a special safety inspection or welfare examination until after the vehicle or animal passes the safety inspection and/or welfare examination.

(k) The operator shall post all rates either at the point of departure, if otherwise allowed by law, or on the vehicle.

R-3.345-I SPECIFICS FOR ACCESSIBLE VEHICLES.

In addition to compliance with all ADA standards, and the standards for special service types, an accessible vehicle operator shall:

(a) Maintain wheelchair immobilization apparatus according to manufacturer's instructions;

(b) Maintain for a period of three years and make available to the city upon request records of all repairs and maintenance performed on wheelchair immobilization apparatus;

(c) Transport or allow transport of persons only in an upright sitting position or in a reclining position when the angle of recline is not more than 45 degrees;

(d) Equip each accessible vehicle with wheelchair immobilization apparatus that maintains the wheelchair in a stationary position;

(e) Not use or permit the use of an accessible vehicle which:

1. Is equipped to provide oxygen administration. An accessible coach may transport persons requiring constant oxygen administration due to chronic respiratory conditions who use their own oxygen apparatus but who do not require ambulance service;

2. Is equipped with any type of stretcher, gurney or cot;

(f) Not use, or cause to be used, or permit any advertising, signing or other communication relating to an accessible vehicle which contains any reference to, or which uses words, symbols or other devices which cause or are likely to cause confusion as to the identity of the vehicle as an ambulance or other emergency medical services vehicle.

R-3.345-J SPECIFICS FOR PEDICABS.

1. Permit Required.

(a) No person shall operate a pedicab for business purposes on city streets or bike paths without first paying the required fees and obtaining a permit therefore from the City.

(b) Prior to issuance of a permit hereunder, each pedicab shall be inspected by the City to determine compliance with the equipment requirements set forth in Section 2 of this R-3.345-~~KJ~~.

2. Equipment Required. All pedicabs shall be equipped with:

- (1) Heavy duty front and rear brakes;
- (2) Working front and tail lights which are visible at all times;
- (3) Rear flashing tail lights to be operated at night;
- (4) Turn signal lights on rear of carriage;
- (5) Reflectors on wheels of bicycle and carriage;
- (6) Bell;
- (7) Rear mud flaps or similar protection;
- (8) Rear bumper on carriage;
- (9) Six foot safety flag; and
- (10) Slow moving vehicle safety triangle on rear of carriage.

3. Operator Requirements.

(a) All operators of pedicab carriages must possess and maintain a valid State of Oregon driver's license throughout the permit term.

(b) A pedicab operator shall comply with all state and local traffic laws and regulations pertaining to the operation of bicycles.

(c) Each pedicab operator shall prominently display the pedicab permit issued by the City on the pedicab for which issued, together with the name, address and telephone number of the owner of the pedicab.

(d) All pedicab operators shall comply with the weight restriction requirements of each pedicab as posted thereon by the manufacturer.

4. Miscellaneous Requirements.

(a) Prior to issuance of a pedicab permit, the owner/operator thereof shall provide proof of public liability and property damage insurance in a form and amount approved by the City.

R-3.345-K SPECIFICS FOR PEDAL VEHICLES.

1. Routes Each pedal vehicle route must be pre-approved by the City. Routes must be submitted in writing or approved electronic format, including a map detailing the requested route, no less than 14 business days in advance of the requested date to utilize the route. The applicant must specify the following:

(a) The streets and designate traffic lanes over which non-motorized service will travel during specified time period;

(b) The off-street locations for parking and passenger loading and unloading; and

(c) The equipment the applicant proposes to use to provide the service.

Changes or additional routes must also be submitted in writing at least 14 days in advance of the requested date to utilize the route. Additional lead time is recommended when possible in order to allow time to make any necessary route adjustments. Routes must be flat, and use of an area with any incline requires demonstration of the ability to control the vehicle at that location when fully loaded with passengers. Routes with high traffic volume, frequent bus lines, and along EmX lines will not be approved. Routes without adequate "pull-over" areas will not be approved. Bike lanes are designated for bicycles, and pedal vehicles may not operate in the bike lane.

2. Parking. Each business license application will include documentation of a parking plan and authorization to park, if necessary, for each stop. The location of parking during non-working hours will also be provided to the City with the application. The plan for disembarking and resuming the trip in a safe manner at each stop will be provided with the

application, and will be explained to the passengers in advance.

3. Access to the Roadway. Even on approved routes, pedal vehicles are expected to move to the side to allow the passage of faster-moving vehicles. Each application shall address moving quickly out of the way of emergency, police or fire vehicles, and other motor vehicle traffic. Passengers must be provided with clear instructions about the importance of avoiding impediments to vehicular traffic during the ride.

4. Vehicle Specifications Required. Each pedal vehicle company must provide with the business license and vehicle permit applications the manufacturer's specifications showing braking and back-up braking mechanisms, weight and occupancy limits for the vehicle, minimum requirement for the number of pedalers to propel the vehicle, limitations on incline, stopping and acceleration distances, and any other operating limitations or recommendations for operation. No vehicle may be operated without the minimum number of pedalers required to propel the vehicle forward and out of the way of traffic in a timely manner. No vehicle may be operated with passengers in excess of the manufacturer's weight and occupancy or other limits for the vehicle. Each passenger must have a designated seat and remain seated during the ride.

5. Vehicle Maintenance Schedule. Each pedal vehicle company must provide a vehicle maintenance and inspection schedule with the business license and vehicle permit application and yearly renewal. This document must indicate the name and qualifications of the person(s) performing inspections and maintenance on the vehicles and show a list of routine maintenance activities, along with the method of documentation for this maintenance (type of maintenance log).

6. Obey all Laws. Each pedal vehicle company and vehicle is responsible to obey all federal, State and City laws and regulations, including:

(a) All traffic regulations, including Oregon Department of Transportation slow moving vehicle regulations;

(b) Open container and DUI prohibitions;

(c) City of Eugene noise ordinances; and

(d) City of Eugene parking regulations.

7. Alcohol. No alcohol may be served on pedal vehicles. No open containers of alcohol may be on board pedal vehicles. Passengers will be instructed in advance that they are subject to citation for DUI under state law while operating (pedaling) on a pedal vehicle and that no alcohol may be consumed while on the vehicle. Operators must require any passenger who becomes disorderly or creates a neighborhood disturbance during the ride to disembark from the tour at the earliest, safe opportunity. Operators are responsible when stops where alcohol is served to monitor the passengers and make other arrangements for the safe transport of any passenger who becomes drunk or disorderly during the ride. Operator and

company permits may be suspended or revoked for failure to remove a passenger who cannot safely operate or remain on the vehicle, or who creates a disturbance. The operator will clearly notify passengers in advance about these restrictions.

8. Noise. No amplified music will be played on the pedal vehicle. Operators and passengers will comply with City of Eugene noise ordinances. Passengers will be instructed in advance of the importance of minimizing neighborhood impacts during the ride.

9. Training. The business license application must include documentation demonstrating that all pedal vehicle operators will be trained and able to manage the vehicle, and will be familiar with these regulations, prior to being issued a permit to operate a pedal vehicle.

10. All Passengers Booked for Entire Trip. All passengers will board the vehicle at the beginning of the tour. Passengers will not be allowed to "hail" the vehicle, nor jump on and off during the ride. All authorized pick up and drop off locations must be provided to the City Manager or designee with the route.

11. Helmets. Helmets will be provided and available for the use of all occupants.

12. Age Restriction. No passengers under the age of 18 are allowed on the vehicles.

13. Hour Restrictions. Pedal vehicles may operate only from sunrise until 30 minutes after sunset.

14. Complaints. Pedal vehicle company representatives, as a part of maintaining a current permit, shall report any written complaints they receive to the City and may be required to attend community meetings to address any safety-related or behavior-related complaints concerning the pedal vehicle.

15. Informational Material and Waivers. A copy of the current informational and instructional materials supplied to the passengers, and a copy of any waivers or other documents the passengers are required to sign, will be provided to the City Manager or designee with the application for a permit. If the forms are changed or updated, a copy will be provided to the City Manager or designee at least 24 hours prior to use of the new form.

16. Pedal Vehicle Fee Schedule. A copy of the current fee schedule will be provided to the City and updated within seven days of any change.

17. Location of Operation. City Manager or designee may exempt a pedal vehicle company from subsection (4) of Section 3.345 of the Eugene Code, 1971, by allowing the company to locate its operation in a residential zone.

18. General Requirements. All other City of Eugene requirements for public passenger vehicle companies, vehicles and drivers will apply, except where these requirements are clearly inapplicable to pedal vehicles.

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Public notice of these proposed amendments shall be given by making copies of the Notice attached as Exhibit A to this Order, available to all current licensees, any person who has requested such notice, and by publication of the Notice in the Register Guard Newspaper for at least five consecutive days, providing interested persons an opportunity of not less than 15 days to submit data or comments on the proposed amendments. After expiration of the comment period, I will adopt the amendments to the Rule as proposed or as modified in response to the comments received, provided that any modifications comply with the provisions of the Eugene Code, 1971, and will repeal Administrative Order No. 53-99-05-F.

Dated this 13 day of May, 2013.

  
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Jon R. Ruiz  
City Manager

SR 

**NOTICE OF INTENDED AMENDMENT OF PUBLIC PASSENGER VEHICLE  
SERVICES ADMINISTRATIVE RULE R-3.345.**

**NOTICE IS HEREBY GIVEN** that pursuant to the authority contained in Sections 2.019 and 3.345 of the Eugene Code, 1971, the City Manager of the City of Eugene, intends to amend Public Passenger Vehicles Services Administrative Rule R-3.345. The amendments are necessary in order to update public passenger insurance requirements and to add provisions regulating pedal vehicles.

The Rule amendments may be reviewed at the Building & Permit Services Division of the Planning & Development Department, 99 West 10<sup>th</sup> Avenue, Eugene, Oregon, 97401, during normal business hours (9-5, Monday-Friday, exclusive of holidays), or at the City of Eugene's website at <http://www.eugene-or.gov/> on the City Recorder's Office page under "Administrative Order."

Comments or objections to the proposed amendments must be submitted in writing to Rachelle Nicholas, City of Eugene Building & Permit Services Division, 99 W. 10<sup>th</sup>, Eugene, Oregon, 97401, or via e-mail to [rachelle.d.nicholas@ci.eugene.or.us](mailto:rachelle.d.nicholas@ci.eugene.or.us) within 15 days of the date of the first publication of the Notice as indicated below. After expiration of the comment period, the City Manager will adopt the amendments to Rule R-3.345 as proposed or as modified in response to the comments received, provided that any modifications comply with the provisions of the Eugene Code, 1971.

**Jon R. Ruiz, City Manager**

**Dates of Publication:** May 17, 2013  
May 18, 2013  
May 19, 2013  
May 20, 2013  
May 21, 2013



**Public Works  
Engineering**

# Memorandum

**Date:** May 10, 2013

**To:** Mayor Piercy and City Council

**From:** Patrick Cox, 541-682-6854  
Project Manager, Public Works Engineering

**Subject:** 2013 Pavement Bond Measure – Project Construction Notification Postcards

The attached postcard was mailed to property owners and residents for the following areas:

- W 10<sup>th</sup> Avenue from Jefferson Street to Olive Street
- W Broadway from Monroe Street to Lincoln Street
- Olive Street from W 11<sup>th</sup> Avenue to W 10<sup>th</sup> Avenue



# Project Construction Notification

**PAVEMENT BOND MEASURE 20-145 funded project**

The City of Eugene will be reconstructing  
**W 10th Avenue from Jefferson Street to Olive Street**  
**W Broadway from Monroe Street to Lincoln Street**  
**Olive Street from W 11th Avenue to W 10th Avenue**

## Project Overview

Broadway and W 10th will be reconstructed with asphalt pavement. Olive Street will be reconstructed with concrete between the Library and the LTD Station. Many sidewalk access ramps will be upgraded.

## Construction Schedule

Early-July through September, 2013

## Traffic Impacts

At times, Olive Street will be closed between 10th Alley and 10th Avenue. 10th Avenue will be open to eastbound traffic only. Broadway will have two blocks closed at a time. Local traffic will be maintained.

## Five-Year No Street Cut Rule

After the street has been repaved there will be a five-year prohibition on cutting the new pavement. Property owners should complete construction of new underground utilities, or other pavement cutting work, before this project starts.



## For More Information

Patrick Cox, Project Manager, 541-682-6854

[Patrick.m.cox@ci.eugene.or.us](mailto:Patrick.m.cox@ci.eugene.or.us)

Road reports at [www.eugene-or.gov/traffic](http://www.eugene-or.gov/traffic)  
or on Twitter @EugenePW